

Docket No. ROC0026DIV1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Theresa Callaghan et al.

Serial No. : 10/721,537

Art Unit: 1654

Filed : November 25, 2003

Examiner:

For : METHOD FOR THE TOPICAL TREATMENT AND PREVENTION OF  
INFLAMMATORY DISORDERS AND RELATED CONDITIONS  
USING EXTRACTS OF FEVERFEW (TANACETUM PARTHENIUM)

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March 18, 2004  
(Date of Deposit)

Andrea L. Colby  
(Name of applicant, assignee, or Registered Representative)

Andrea L. Colby  
(Signature)

March 18, 2004  
(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

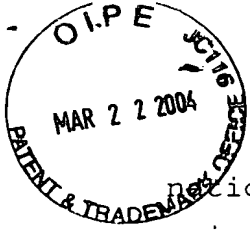
☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the



provisional stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☐ There are no listed references which are not in the English language.

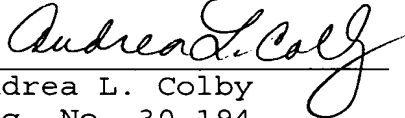
☒ The relevance of those listed references which are not in the English language is as follows: English language abstracts are provided for WO 94/06800 and WO 97/02807.

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/ROC26DIV1/ALC. This form is submitted in triplicate.

Respectfully submitted,

  
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Attorney for Applicants

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DATED: *March 18, 2004*



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Application Number	10/721,537
Filing Date	November 25, 2003
First Named Inventor	Theresa Callaghan
Group Art Unit	1654
Examiner Name	
Attorney Docket Number	ROC0026 DIV1

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		3,755,560	A	Dickert et al.	08/28/1973	
		4,254,105	A	Fukuda	03/03/1981	
		4,421,769	A	Dixon et al.	12/20/1983	
		4,758,433	A	Johnson et al.	07/19/1988	
		4,960,764	A	Figuerola, Jr. et al.	10/02/1990	
		5,260,065	A	Mathur et al.	11/09/1993	
		6,103,218	A	Brucker et al.	08/15/2000	
		6,153,208	A	McAtee et al.	11/28/2000	
		6,130,254	A	Fisher et al.	10/10/2000	
		6,224,875	B1	Bombardelli et al.	05/01/2001	
		6,410,062	B1	Callaghan et al. (Docket ROC0021)	06/25/2002	
		6,479,080	B2	Bombardelli et al.	11/12/2002	
		6,620,419	B1	Lintner	09/16/2003	
		2001/0021400	A1	Bombardelli et al.	09/13/2001	
		2002/0182166	A1	Martin et al. (Docket J&J2097)	12-05-2002	
		2003/0003170	A1	Callaghan et al.	01/02/2003	
		2003/0077343	A1	Martin et al. (Docket J&J2138)	04/24/2003	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
		EPO	0 273 202	B1	Van Scott, Eugene J., Dr.	06/21/1995		
		EPO	0 427 411	B1	Richardson Vicks, Inc.	05/15/1991		
		WO	94/06800	A1	Madeca	03/31/1994	English Abstract	N
		WO	96/31194	A2	Johnson & Johnson Consumer Co.	10/10/1996		
		WO	97/02807	A1	C 3 D	01/30/1997	English Abstract	N
		WO	00/74695	A2	Indena S.P.A.	12/14/2000		
		WO	00/74699	A1	Johnson & Johnson Consumer FR	12/14/2000		
		WO	02/074280	A1	Johnson & Johnson Consumer Co.	09/26/2002		

Examiner Signature	Date Considered
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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet 2 of 3

<b>Application Number</b>	10/721,537
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<b>First Named Inventor</b>	Theresa Callaghan
<b>Group Art Unit</b>	1654
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<b>Attorney Docket Number</b>	ROC0026 DIV1

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		JOHNSON, TIMOTHY, CRC Ethnobotany Desk Reference, CRC Press, NY, 1999, pp.198-199,516-517,823-824.	
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
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